AMENDMENTS TO THE DRAWINGS

The attached "Replacement Sheet" of drawings includes changes to Figure 1. The attached "Replacement Sheet," now includes Figure 1a, 1b, 1c, and 1d, replacing the original sheet 1 including Figure 1. Per the Examiner's objections, the lines have been darkened, extraneous reference characters have been removed, and the designation of Figures 1a, 1b, 1c, and 1d are now included.

Attachment: Replacement Sheet

REMARKS

Claims 1-41 are now pending in the application. Minor amendments have been made to the specification and claims to simply overcome the objections to the specification and objections and/or rejections under §112 to Claims 4 and 11. Claim 13 has also been amended to address a clerical error. These amendments to the claims contained herein address mere informalities and are of equivalent scope to the claims as originally filed and, thus, are not narrowing amendments. Claims 1, 15, 17, 32, 35, and 38 have been amended to clarify the presently claimed invention. Support for these amendments is contained in Applicants' specification as filed at, for example, Paragraphs 15, 17, 18, 20, 22, 26-32, 34-35, 38-39, 45, 56-57, and 61. More specifically, support for the amendment of the limitation of a "computer model" in Claims 1, 17, 32, and 38 is found in Applicants' specification at Paragraphs 22, 26-32, 34-35, 38-39, 45, 56-57, and 61, for example. Support for the amendment to Claim 1, directed to the limitations of analysis of the data and the determining of a condition of a collaborative relationship related to the output value calculated is found at Paragraphs 45, 61 and 62, for example. Additional support for the amendments to Claim 32 is further found in Applicants' specification at Paragraphs 45 - 49. Likewise, additional support for the amendment to Claim 38 is found at Paragraphs 37 and 38 of Applicants' specification, for example. The Examiner is respectfully requested to reconsider and withdraw the rejections and objections in view of the amendments and remarks contained herein.

DRAWINGS

The drawings stand objected to for certain informalities. Applicants have attached revised drawings for the Examiner's approval. In the "Replacement Sheet" 1, the lines have been darkened, extraneous designations have been removed, and each sub-part of original Figure 1 has been labeled as Figure 1a, 1b, 1c, and 1d. Applicants request entry of the drawing changes to Replacement Sheet 1 and withdrawal of the objections.

AMENDMENTS TO THE SPECIFICATION

Paragraphs 9, and 42-44 have been amended to reflect the changes to Figure 1 described above. Entry of these amendments is requested.

AMENDMENTS TO THE TITLE

The title of the specification stands objected to for certain informalities. Applicants have amended the specification according to the Examiner's suggestions. Therefore, reconsideration and withdrawal of this objection are respectfully requested.

REJECTION UNDER 35 U.S.C. § 101

Claims 1- 41 were rejected under 35 U.S.C. § 101 because the claimed invention was allegedly directed to non-statutory matter. Applicants respectfully traverse this rejection as applied to the amended claims. Independent Claims 1, 17, 32, and 38 have been amended to recite common features that provide a computer model that analyzes inputted data to determine an output value corresponding to a condition of a collaborative relationship. The computer model generates an output value that is concrete, tangible and useful because it is used to determine a condition of a collaborative relationship. In a collaborative relationship that seeks mutual goals, *e.g.,* a business partnership, the computer model is a decision-support tool where decisions can be made based upon the status of the relationship. See Applicants' specification at Paragraphs 14 and 34, for example. By obtaining a value that correlates to the condition of such a collaborative relationship, issues within the relationship can be identified and addressed as necessary. Further, a tangible output value that accurately characterizes the status of a relationship is useful for determining whether or not to invest resources in such a relationship; this finds particular utility for relationships that have a pecuniary nature, including business and institutional partnerships.

Patentable subject matter under §101 is "anything under the sun that is made by man," *Diamond v. Chakrabarty*, 206 U.S.P.Q. 193,197 (U.S. Sup. Ct. 1980) and includes any invention that produces a "useful, concrete, and tangible result" as set forth by the Federal Circuit in *State Street Bank v. Signature Financial Group, Inc.*, 47 U.S.P.Q.2d 1596, 1601-1602 (Fed. Cir. 1998). The computer models and methods of Claims 1 – 41 are both man-made and produce useful, concrete, and tangible results. Thus, Claims 1-41 constitute patentable subject matter.

In *State Street*, the model transformed data to a final share price, and this was found to constitute a useful, concrete and tangible result, which was recorded and relied upon for reporting and regulatory activities. The invention as claimed in Claims 1 - 41 is a computer model that generates an output value relating to the condition of a collaborative relationship that permits business decisions, including resource allocation.

As such, the output values generated by the computer model are useful, concrete, and tangible results that have utility.

Further, while the Examiner rejects the present claims for not claiming statutory subject matter under §101, the Examiner cites issued patents under §102(b) alleging that the presently claimed invention was disclosed in two different patent references that were issued and found to contain patentable subject matter by the USPTO.

Applicants respectfully submit that the courts, and the USPTO itself, have found similar and/or related technology to constitute patentable subject matter and that the present invention constitutes patentable subject matter under §101. Applicants respectfully request reconsideration of the claims.

REJECTION UNDER 35 U.S.C. § 112

Claims 1-16 and 32-37 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicants regard as the invention. This rejection is respectfully traversed.

Claim 1 has been amended to more particularly point out and distinctly claim the present invention. As such, Applicants submit that the amendments in Claim 1 clarify how the computer model of the present invention operates.

Further, Applicants have amended Claim 15 to clarify the claimed invention. Claim 4 has been amended to change its dependency to Claim 3.

Likewise, Claim 32 has been amended to more particularly point out and claim the present invention, and this clarification addresses the Examiner's concerns recited in the rejections to Claim 32 and its dependent Claims 33-37. Claim 35 has also been amended to address the Examiner's rejection.

Accordingly, Applicants request reconsideration of the claims and withdrawal of the rejections.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-5, 9, 12-21, 25, and 28-31 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Clancey et al. (U.S. Pat. No. 6,216,098). This rejection is respectfully traversed.

The Clancey reference describes a method of simulating work behavior for a worker. The Clancey model represents "objects" or "agents" (such as workers, customers, orders, physical resources, or documents) and their occurrences in the workplace. Col. 1 lines 47-56. The simulation emulates activities of the agents/objects and the operation of physical artifacts, such as telephones, information processing systems, faxes, and products of the workplace being simulated. See Col. 1 lines 47-56. While Clancey incorporates agents communicating information (or "beliefs") to one another or the agent's relationships to objects (for example, at Col. 33 lines 60-37), Clancey does not describe determining a condition of a collaborative relationship via an output value generated by a computer model. Clancey has no disclosure of generating a model to assess a condition of a complex collaborative relationship.

Independent Claims 1 and 17 recite common features of a computer model comprising components related to a collaborative relationship, including level of joint work, level of communication, quality of interaction, and connectivity of social structure of relationship. Clancey does not disclose a computer model including these particular components, nor does the Clancey model determine a condition of a collaborative relationship that is related to an output value generated by the model. Applicants respectfully submit that Clancey does not disclose or suggest any of these particular components, as the value of including such particular components in a computer model that accurately determines a condition of a collaborative relationship was not previously recognized or known. As such, Clancey fails to disclose or even suggest independent Claims 1 or 17, or their dependent Claims 2-5, 9, 12-16, and Claims 18-21, 25, and 28-31. Applicants respectfully request reconsideration and withdrawal of the rejections.

Claims 32-41 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Pak (U.S. Patent No. 6,581,037). This rejection is respectfully traversed.

The Pak reference describes a method of predicting interactions between humans by incorporating cultural interpretation of their behavior. Thus, the method of Pak entails identifying a culture to be analyzed, identifying a behavior, and then associating the behavior with a culture to determine whether another human from that culture will have a negative or positive response to the behavior. See Col. 1 line 56 to Col. 2 line 3.

In contrast, Claim 32 as amended recites creating a computer model integrating features of a collaborative relationship, including level of joint work, level of communication, quality of interaction, and connectivity of social structure of relationship. The model of Claim 32 tracks both interrelationships between the components and at least a portion of the components as a function of time. The model generates an output value relating to a condition of the collaborative relationship. There is no disclosure in

Pak of integrating significant features of a collaborative relationship between distinct organizational entities. Further, there is no disclosure or suggestion of integrating features that include level of joint work, level of communication, quality of interaction, and connectivity of social structure of relationship. Nor is there any disclosure to create a computer model that tracks both interrelationships between such components and at least a portion of the components as a function of time. Further, Pak does not disclose generating an output value related to a condition of the collaborative relationship. Applicants therefore respectfully submit that Pak does not anticipate Claim 32 or its dependent Claims 33-37.

Claim 38 is directed to a method of developing a computer model for assessing a target collaborative relationship between distinct entities. The method entails collecting qualitative and quantitative data related to an exemplary collaborative relationship. The qualitative data is analyzed to generate a plurality of components for the computer model related to the exemplary collaborative relationship, and the quantitative data is likewise analyzed. A computer model is created having the plurality of components integrating the analyzed quantitative data. A quantitative baseline value is developed from the computer model that is indicative of an exemplary relationship status. Exemplary data is input into the computer model that corresponds to a selected evolutionary stage. The baseline value from the exemplary data thus enables assessment of a target collaborative relationship.

Pak lacks any disclosure whatsoever for assessing collaborative relationships, and hence does not disclose a method of developing a computer model that assesses collaborative relationships between distinct entities. Pak merely assesses an isolated communication and/or behavioral act and its perceived cultural impact. Pak does not disclose creating a computer model for assessing complex collaborative relationships that require various components and quantitative and qualitative data to reflect evolutionary stages of a collaborative relationship. As such, Applicants submit that Pak does not anticipate the invention as claimed in independent Claim 38 or its dependent Claims 39-41. Applicants respectfully request reconsideration and withdrawal of the rejections.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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